

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNWIRED PLANET, LLC,)	3:13-cv-00579-RCJ-WGC
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
)	
vs.)	June 17, 2014
)	
SQUARE, INC.,)	
)	
Defendant.)	
)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE LYNN OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is Unwired Planet LLC's Motion to Seal (Doc. # 64) seeking to file under seal page 2 of its demonstrative exhibit utilized at the June 12, 2014 discovery status conference on the grounds that this page of the document contains confidential source code information which is covered by the Protective Order entered into by the parties and approved by the court.

“Historically, courts have recognized a general right to inspect and copy public records and documents, including judicial records and documents.” *See Kamakana v. City and County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (internal quotation marks and citation omitted). “Throughout our history, the open courtroom has been a fundamental feature of the American judicial system. Basic principles have emerged to guide judicial discretion respecting public access to judicial proceedings. These principles apply as well to the determination of whether to permit access to information contained in court documents because court records often provide important, sometimes the only, bases or explanations for a court’s decision.” *Oliner v. Kontrabecki*, 745 F.3d 1024, 1025 (9th Cir. Mar. 20, 2014) (quoting *Brown & Williamson Tobacco Corp. v. F.T.C.*, 710 F.2d 1165, 1177 (6th Cir. 1983)).

Documents that have been traditionally kept secret, including grand jury transcripts and warrant materials in a pre-indictment investigation, come within an exception to the general right of public access. *See Kamakana*, 447 F.3d at 1178. Otherwise, “a strong presumption in favor of access is the starting point.” *Id.* (internal quotation marks and citation omitted).

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When a party seeks to file a document under seal in connection with a nondispositive motion, as Unwired Planet LLC does here a "good cause" standard applies. *Oliner*, 745 F.3d at 1025 (quoting *Pintos v. Pac. Creditors Ass'n*, 605 F.3d 665, 677-78 (9th Cir. 2010) (amended opinion)). The court finds that Unwired Planet LLC has adequately demonstrated that good cause exists for sealing page 2 of the demonstrative exhibit submitted for the court's review in connection with the June 12, 2014 status conference because it contains confidential source code information. Therefore, Unwired Planet LLC's Motion to Seal (Doc. # 64) is **GRANTED**.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: _____/s/
Deputy Clerk